

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

**IN THE MATTER OF:**

**Chicago Steel Container Corporation  
1846 South Kilbourn Avenue  
Chicago, Illinois 60623**

**ATTENTION:**

**Louis Pileggi, President**

**Request to Provide Information Pursuant to the Clean Air Act**

The U.S. Environmental Protection Agency is requiring Chicago Steel Container Corporation (CSCC or you) to submit certain information about the facility at 1846 South Kilbourn Avenue, Chicago, Illinois. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us within 30 calendar days after you receive this request.

We are issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

CSCC owns and operates a steel drum manufacturing source at the Chicago, Illinois facility. We are requesting this information to determine whether your emission source is complying with the Illinois State Implementation Plan, its Clean Air Act Program Permit, and the CAA.

CSCC must send all required information to:

Attn: Compliance Tracker, AE-17J  
Air Enforcement and Compliance Assurance Branch  
U.S. Environmental Protection Agency  
Region 5  
77 W. Jackson Boulevard  
Chicago, Illinois 60604

CSCC must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards and limitations are not entitled to confidential treatment and shall be made available to the public notwithstanding any assertion of a business confidentiality claim. Appendix C provides additional information regarding the meaning and scope of the term "emissions data."


This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks to collect information from specific individuals or entities as part of an administrative action or investigation.

We may use any information submitted in response to this request in an administrative, civil or criminal action.

Failure to comply fully with this information request may subject CSCC to an enforcement action under Section 113 of the CAA; 42 U.S.C. § 7413.

You should direct any questions about this information request to Manojkumar P. Patel at (312) 353-3565 or by electronic mail at [patel.manojkumar@epa.gov](mailto:patel.manojkumar@epa.gov).

2/9/17  
Date

  
\_\_\_\_\_  
Edward Nam  
Director  
Air and Radiation Division

## **Appendix A**

When providing the information requested in Appendix B, use the following instructions and definitions.

### **Instructions**

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and, at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

### **Electronic Submissions**

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

#### **Definitions**

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*

## **Appendix B**

### **Information You Are Required to Submit to EPA**

Within thirty (30) calendar days of receipt of this request, Chicago Steel Container Corporation (CSCC or you) must submit the following information requested for its facility located at 1846 South Kilbourn Avenue, Chicago, Illinois (facility), pursuant to Section 114 of the Clean Air Act (CAA or the Act), 42 U.S.C. Section 7414. Provide the following information from the February 1, 2012 to the date you receive this request for the facility.

1. Provide a schematic diagram of the facility, including a corresponding list depicting the location of various process equipment.
2. Provide a detailed description of the processes employed to manufacture steel drums.
3. Provide production records for steel drums on a daily, weekly, monthly, and yearly basis.
4. Provide records related to the number of steel drums repairs (if any) on a daily, weekly, monthly, and yearly basis.
5. Provide a detailed description of each piece of process equipment used for steel drum production, its installation date, and a detailed description, including the date, of any modification(s) to the process equipment.
6. Provide copies of all air permits issued by the Illinois Environmental Protection Agency (IEPA) including, but not limited to, Clean Air Act Permit Program (CAAPP) Permits, Construction Permits, or Permits to Install.
7. Provide copies of all correspondence or notices alleging violations from IEPA's Bureau of Air received by CSCC.
8. Provide CSCC's responses to any and all letters or notices of violation that were issued to CSCC by the IEPA's Bureau of Air.
9. Provide copies of any and all consent orders, consent judgments, or any other settlement documents that were entered between CSCC and the IEPA to resolve any alleged air quality violations.
10. For each emission unit, provide the actual hours of operation in hours per day, days per week, and hours per year.
11. Provide a detailed description of all air pollution control equipment and each emission unit that is controlled by each piece of air pollution control equipment.
12. Provide copies of all documents related to any maintenance and repairs conducted on air pollution control equipment.

13. Provide the following information for each day for each coating line at the facility:
  - a. The name and identification number of each coating as applied on each coating line;
  - b. The weight of volatile organic matter (VOM) per volume of each coating (minus water and any compounds that are specifically exempted from the definition of VOM) as applied each day on each coating line;
  - c. As applicable, the weight of VOM per volume of solids in each coating as applied each day on each coating line; and
  - d. Certified data sheets for each coating.
14. Provide monthly and annual records of individual and total hazardous air pollutant (HAP) usage, in tons per month and tons per year, of the coatings and solvents applied at the facility.
15. Provide a list including the HAP content of each coating and solvent applied, by individual HAP, in pounds per gallon.
16. Provide all records of the usage of each material containing HAP, including dilution and cleaning solvents, in gallons per month and gallons per year.
17. Provide any waste manifests, or other similar documents showing the date and amount of HAP-containing waste, including waste rags and spent cleaning solvents, sent off-site.
18. Provide copies of the results of any testing or sampling conducted to determine the HAP and VOM content of coatings.
19. For each emission unit at the facility, provide a detailed description of the amount(s) of VOM and HAP emissions in pounds per hour, month, and tons per year, and include all supporting calculations in electronic spreadsheet form.
20. Provide a detailed description of all air pollution monitoring devices on the emission units at the facility and any electronic recordings and paper documentation of the monitoring.
21. Provide a detailed description of how emissions from each emission unit are calculated, including the method by which you calculate emissions, any emission factors used, the basis and origin of such emission factors, and the date and results of any air emissions tests used to generate such emission factors.
22. Provide a detailed description of all recordkeeping methods used for determining emissions from each emission unit at the facility, and if the recordkeeping methods have changed during the time frame covered by this request, explain the change in recordkeeping and the reason for the change.

23. If not already produced in response to a request above, provide copies of all records related to HAP and VOM requirements in your CAAPP Permit including hourly, daily, weekly, monthly records for all emission units including, but not limited to, computerized and handwritten records.
24. Provide copies of all records related to HAP and VOM requirements in any Permits to Install issued by IEPA including hourly, daily, weekly, monthly records including, but not limited to, computerized and handwritten records.
25. Provide copies of all CAAPP Permit Annual Certification reports.
26. Provide copies of all CAAPP Permit Semi-Annual Monitoring reports.
27. Provide copies of all Illinois Annual Air Emissions Reports that were submitted by you to the IEPA.
28. Provide a description of the steps taken by the Responsible Official for the facility to perform a "reasonable inquiry" that the reporting required by the CAAPP Permit is accurate and true.
29. If not already produced in response to a request above, provide copies of all Material Safety Data Sheets, Technical Data Sheets, or other similar documents for all coatings used at the facility.
30. Provide any records related to all processes at the facility that are exempt from the HAP and VOM requirements in the CAAPP or the Illinois SIP, but for which you must maintain records to demonstrate compliance with any permit exemptions.
31. Provide a detailed description of the process by which CSCC cleans its process equipment, including a description of any cleaning solvents used and the frequency of cleaning at each piece of process equipment.
32. Provide a detailed description of how the facility disposes of any cleaning solvents and the frequency at which these solvents are disposed.
33. Provide a detailed description of any solvents or other liquids used to prepare metal drums for surface coating, including the name, identification number, and the frequency at which these solvents or liquids are used.



## **Appendix C**

### **Confidential Business and Personal Privacy Information**

#### **Assertion Requirements**

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

“Emission data” means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A), (B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(c) of the CAA and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the information request as a waiver of that claim, and the information may be made available to the public without further notice to you.

## **Determining Whether the Information Is Entitled to Confidential Treatment**

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show: that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so, that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential by page, paragraph and sentence. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a special event or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, explain with specificity why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as

substantial and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Is there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?

If you receive a request for a substantiation letter from the EPA, you bear the burden of substantiating your confidentiality claim. Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

#### **Personal Privacy Information**

Please segregate any personnel, medical and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

**CERTIFICATE OF MAILING**


I, Loretta Shaffer, certify that I sent a Request to Provide Information Pursuant to the Clean Air Act by Certified Mail, Return Receipt Requested, to:

Louis Pileggi  
Chicago Steel Container Corporation  
1846 South Kilbourn Avenue  
Chicago, Illinois 60623

I also certify that I sent a copy of the Request to Provide Information Pursuant to the Clean Air Act by E-mail to:

Yasmine Keppner-Bauman  
Acting Manager, Compliance Section,  
Bureau of Air, Illinois EPA  
[Yasmine.Keppner-Bauman@Illinois.gov](mailto:Yasmine.Keppner-Bauman@Illinois.gov)

On the 10<sup>th</sup> day of February 2017.

  
for: Kathy Jones, Program Technician  
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 2009 1680 0000 7660 6967